

JOURNAL OF THE SENATE

NINETY-FIRST SESSION

TWENTY-SECOND DAY

STATE OF SOUTH DAKOTA
Senate Chamber, Pierre
Wednesday, February 17, 2016

The Senate convened at 2:00 p.m., pursuant to adjournment, the President presiding.

The prayer was offered by the Chaplain, Rev. Paul Bly, followed by the Pledge of Allegiance led by Senate pages Lacy Steiger and Grace Jensen.

Roll Call: All members present.

APPROVAL OF THE JOURNAL

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that the Secretary of the Senate has had under consideration the Senate Journal of the twenty-first day.

All errors, typographical or otherwise, are duly marked in the temporary journal for correction.

And we hereby move the adoption of the report.

Respectfully submitted,
Gary Cammack, Chair

Which motion prevailed.

REPORTS OF STANDING COMMITTEES

MR. PRESIDENT:

The Committee on Legislative Procedure respectfully reports that SB 10, 11, 14, 18, 20, and 68 were delivered to his Excellency, the Governor, for his approval at 10:45 a.m., February 17, 2016.

Respectfully submitted,
Gary Cammack, Chair

Also MR. PRESIDENT:

The Committee on Local Government respectfully reports that it has had under consideration HB 1005 and returns the same with the recommendation that said bill do pass.

Also MR. PRESIDENT:

The Committee on Local Government respectfully reports that it has had under consideration SB 116 and returns the same with the recommendation that said bill do pass and be placed on the consent calendar.

Also MR. PRESIDENT:

The Committee on Local Government respectfully reports that it has had under consideration the nomination of Charles M. Turbiville of Lawrence County, Deadwood, South Dakota, to the South Dakota Lottery Commission and returns the same with the recommendation that the Senate advise and consent to the confirmation of said reappointment and that said reappointment be placed on the consent calendar.

Also MR. PRESIDENT:

The Committee on Local Government respectfully reports that it has had under consideration the nomination of Tom Graham of Minnehaha County, Sioux Falls, South Dakota, to the South Dakota Building Authority and returns the same with the recommendation that the Senate advise and consent to the confirmation of said reappointment and that said reappointment be placed on the consent calendar.

Respectfully submitted,
Bob Ewing, Chair

1 Also MR. PRESIDENT:

2 The Committee on Transportation respectfully reports that it has had under consideration
3 SB 109 and returns the same with the recommendation that said bill be amended as follows:

4 109fa

5 On page 2, between lines 10 and 11 of the printed bill, insert:

6 " Section 3. That § 1-44-7.5 be amended to read:

7 1-44-7.5. The Transportation Commission shall promulgate rules, pursuant to chapter 1-26,
8 to establish the requirements for a county highway and bridge improvement plan that details
9 proposed county highway and bridge improvement projects in a county for the next five years
10 and how the county plans to implement an annual random checkpoint for overweight vehicles.
11 The rules shall provide for the format of the plan and the time by which an update of the plan
12 must be submitted each year."

13 And that as so amended said bill do pass.

14 Also MR. PRESIDENT:

15 The Committee on Transportation respectfully reports that it has had under consideration
16 SB 135 and 144 which were deferred to the 41st Legislative Day.

17 Respectfully submitted,
18 Mike Vehle, Chair

19 Also MR. PRESIDENT:

20 The Committee on Taxation respectfully reports that it has had under consideration
21 HB 1150 and returns the same with the recommendation that said bill do pass.

22 Also MR. PRESIDENT:

23 The Committee on Taxation respectfully reports that it has had under consideration SJR 2
24 and SB 111 which were deferred to the 41st Legislative Day.

25 Respectfully submitted,
26 Jeff Monroe, Chair

1 Also MR. PRESIDENT:

2 The Committee on State Affairs respectfully reports that it has had under consideration
3 SB 132 and returns the same with the recommendation that said bill do pass.

4 Also MR. PRESIDENT:

5 The Committee on State Affairs respectfully reports that it has had under consideration
6 SB 45 and returns the same with the recommendation that said bill be amended as follows:

7 45ob

8 On page 4, line 11, of the printed bill, delete "shall" and insert "may".

9 On page 4, line 12, delete "shall" and insert "may".

10 45oa

11 On page 2, line 10, of the printed bill, after "transfer" insert "and no valid applications were
12 received in the previous quarter".

13 And that as so amended said bill do pass.

14 Also MR. PRESIDENT:

15 The Committee on State Affairs respectfully reports that it has had under consideration
16 SB 106 and returns the same with the recommendation that said bill be amended as follows:

17 106fc

18 On the printed bill, delete everything after the enacting clause and insert:

19 " Section 1. That the code be amended by adding a NEW SECTION to read:

20 Notwithstanding any other provision of law, any seller selling tangible personal property,
21 products transferred electronically, or services for delivery into South Dakota, who does not
22 have a physical presence in the state, is subject to chapters 10-45 and 10-52, shall remit the sales
23 tax and shall follow all applicable procedures and requirements of law as if the seller had a
24 physical presence in the state, provided the seller meets either of the following criteria in the
25 previous calendar year or the current calendar year:

26 (1) The seller's gross revenue from the sale of tangible personal property, any product
27 transferred electronically, or services delivered into South Dakota exceeds one
28 hundred thousand dollars; or

1 (2) The seller sold tangible personal property, any product transferred electronically, or
2 services for delivery into South Dakota in two hundred or more separate transactions.

3 Section 2. That the code be amended by adding a NEW SECTION to read:

4 Notwithstanding any other provision of law, and whether or not the state initiates an audit
5 or other tax collection procedure, the state may bring a declaratory judgment action under
6 chapter 21-24 in any circuit court against any person the state believes meets the criteria of
7 section 1 of this Act to establish that the obligation to remit sales tax is applicable and valid
8 under state and federal law. The circuit court shall act on this declaratory judgment action as
9 expeditiously as possible and this action shall proceed with priority over any other action
10 presenting the same question in any other venue.

11 In this action, the court shall presume that the matter may be fully resolved through a motion
12 to dismiss or a motion for summary judgment. However, if these motions do not resolve the
13 action, any discovery allowed by the court may not exceed the provisions of subdivisions
14 15-6-73(2) and (4).

15 The provisions of § 10-59-34, along with any other provisions authorizing attorney's fees,
16 do not apply to any action brought pursuant to this Act or any appeal from any action brought
17 pursuant to this Act.

18 Section 3. That the code be amended by adding a NEW SECTION to read:

19 The filing of the declaratory judgment action established in this Act by the state operates as
20 an injunction during the pendency of the action, applicable to each state entity, prohibiting any
21 state entity from enforcing the obligation in section 1 of this Act against any taxpayer who does
22 not affirmatively consent or otherwise remit the sales tax on a voluntary basis. The injunction
23 does not apply if there is a previous judgment from a court establishing the validity of the
24 obligation in section 1 of this Act with respect to the particular taxpayer.

25 Section 4. That the code be amended by adding a NEW SECTION to read:

26 Any appeal from the decision with respect to the cause of action established by this Act may
27 only be made to the state Supreme Court. The appeal shall be heard as expeditiously as possible.

28 Section 5. That the code be amended by adding a NEW SECTION to read:

29 No obligation to remit the sales tax required by this Act may be applied retroactively.

30 Section 6. That the code be amended by adding a NEW SECTION to read:

31 If an injunction provided by this Act is lifted or dissolved, in general or with respect to a
32 specific taxpayer, the state shall assess and apply the obligation established in section 1 of this
33 Act from that date forward with respect to any taxpayer covered by the injunction.

1 Section 7. That the code be amended by adding a NEW SECTION to read:

2 A taxpayer complying with this Act, voluntarily or otherwise, may only seek a recovery of
3 taxes, penalties, or interest by following the recovery procedures established pursuant to chapter
4 10-59. However, no claim may be granted on the basis that the taxpayer lacked a physical
5 presence in the state and complied with this Act voluntarily while covered by the injunction
6 provided in section 3 of this Act.

7 Nothing in this Act limits the ability of any taxpayer to obtain a refund for any other reason,
8 including a mistake of fact or mathematical miscalculation of the applicable tax.

9 No seller who remits sales tax voluntarily or otherwise under this Act is liable to a purchaser
10 who claims that the sales tax has been over-collected because a provision of this Act is later
11 deemed unlawful.

12 Nothing in this Act affects the obligation of any purchaser from this state to remit use tax
13 as to any applicable transaction in which the seller does not collect and remit or remit an
14 offsetting sales tax.

15 Section 8. That the code be amended by adding a NEW SECTION to read:

16 The Legislature finds that:

17 (1) The inability to effectively collect the sales or use tax from remote sellers who
18 deliver tangible personal property, products transferred electronically, or services
19 directly into South Dakota is seriously eroding the sales tax base of this state, causing
20 revenue losses and imminent harm to this state through the loss of critical funding
21 for state and local services;

22 (2) The harm from the loss of revenue is especially serious in South Dakota because the
23 state has no income tax, and sales and use tax revenues are essential in funding state
24 and local services;

25 (3) Despite the fact that a use tax is owed on tangible personal property, any product
26 transferred electronically, or services delivered for use in this state, many remote
27 sellers actively market sales as tax free or no sales tax transactions;

28 (4) The structural advantages of remote sellers, including the absence of point-of-sale tax
29 collection, along with the general growth of online retail, make clear that further
30 erosion of this state's sales tax base is likely in the near future;

31 (5) Remote sellers who make a substantial number of deliveries into or have large gross
32 revenues from South Dakota benefit extensively from this state's market, including
33 the economy generally, as well as state infrastructure;

34 (6) In contrast with the expanding harms caused to the state from this exemption of sales
35 tax collection duties for remote sellers, the costs of that collection have fallen. Given
36 modern computing and software options, it is neither unusually difficult nor

1 burdensome for remote sellers to collect and remit sales taxes associated with sales
2 into South Dakota;

3 (7) As Justice Kennedy recently recognized in his concurrence in *Direct Marketing*
4 *Association v. Brohl*, the Supreme Court of the United States should reconsider its
5 doctrine that prevents states from requiring remote sellers to collect sales tax, and as
6 the foregoing findings make clear, this argument has grown stronger, and the cause
7 more urgent, with time;

8 (8) Given the urgent need for the Supreme Court of the United States to reconsider this
9 doctrine, it is necessary for this state to pass this law clarifying its immediate intent
10 to require collection of sales taxes by remote sellers, and permitting the most
11 expeditious possible review of the constitutionality of this law;

12 (9) Expeditious review is necessary and appropriate because, while it may be reasonable
13 notwithstanding this law for remote sellers to continue to refuse to collect the sales
14 tax in light of existing federal constitutional doctrine, any such refusal causes
15 imminent harm to this state;

16 (10) At the same time, the Legislature recognizes that the enactment of this law places
17 remote sellers in a complicated position, precisely because existing constitutional
18 doctrine calls this law into question. Accordingly, the Legislature intends to clarify
19 that the obligations created by this law would be appropriately stayed by the courts
20 until the constitutionality of this law has been clearly established by a binding
21 judgment, including, for example, a decision from the Supreme Court of the United
22 States abrogating its existing doctrine, or a final judgment applicable to a particular
23 taxpayer; and

24 (11) It is the intent of the Legislature to apply South Dakota's sales and use tax obligations
25 to the limit of federal and state constitutional doctrines, and to thereby clarify that
26 South Dakota law permits the state to immediately argue in any litigation that such
27 constitutional doctrine should be changed to permit the collection obligations of this
28 Act.

29 Section 9. Whereas, this Act is necessary for the support of the state government and its
30 existing public institutions, an emergency is hereby declared to exist. This Act shall be in full
31 force and effect on the first day of the first month that is at least fifteen calendar days from the
32 date this Act is signed by the Governor."

33 And that as so amended said bill do pass.

1 Also MR. PRESIDENT:

2 The Committee on State Affairs respectfully reports that it has had under consideration
3 SB 143 and returns the same with the recommendation that said bill be amended as follows:

4 143oa

5 On page 3, line 1, of the printed bill, delete "the members of the party caucuses" and insert
6 "legislators".

7 And that as so amended said bill do pass.

8 Also MR. PRESIDENT:

9 The Committee on State Affairs respectfully reports that it has had under consideration
10 SB 164 which was tabled.

11 Also MR. PRESIDENT:

12 The Committee on State Affairs respectfully reports that it has had under consideration
13 SJR 4 and SB 139 which were deferred to the 41st Legislative Day.

14 Respectfully submitted,
15 Gary Cammack, Chair

16 **MESSAGES FROM THE HOUSE**

17 MR. PRESIDENT:

18 I have the honor to transmit herewith HCR 1013 which has been adopted by the House and
19 your concurrence is respectfully requested.

20 Also MR. PRESIDENT:

21 I have the honor to transmit herewith HB 1110, 1118, 1121, 1140, 1164, 1189, 1212, and
22 1214 which have passed the House and your favorable consideration is respectfully requested.

23 Respectfully,
24 Arlene Kvislen, Chief Clerk

1

MOTIONS AND RESOLUTIONS

2

3

HCR 1013: A CONCURRENT RESOLUTION, Recognizing the positive economic impact sportsmen and women have in South Dakota.

4

5

Was read the first time, the President waived the referral to committee, and placed HCR 1013 on the calendar of Thursday, February 18th, the 23rd legislative day.

6

7

Sen. Brown moved that SB 159 and 107 be deferred to Thursday, February 18th, the 23rd legislative day.

8

Which motion prevailed.

9

CONSIDERATION OF REPORTS OF COMMITTEES

10

Sen. Brown moved that the reports of the Standing Committees on

11

Judiciary on HB 1183 as found on page 304 of the Senate Journal; also

12

Judiciary on SB 140 as found on page 303 of the Senate Journal; also

13

Judiciary on SB 97 as found on page 303 of the Senate Journal; also

14

Education on SB 129 as found on page 301 of the Senate Journal; also

15

16

Joint Committee on Appropriations on SB 75 as found on page 301 of the Senate Journal be adopted.

17

Which motion prevailed.

18

FIRST READING OF SENATE BILLS AND JOINT RESOLUTIONS

19

20

The President declared that SB 137 was withdrawn at the request of the prime sponsor pursuant to Joint Rule 6B-1.1.

1 **FIRST READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

2 HB 1110: FOR AN ACT ENTITLED, An Act to provide medical care for certain unborn
3 children.

4 Was read the first time and referred to the Committee on Health and Human Services.

5 HB 1118: FOR AN ACT ENTITLED, An Act to limit the amount of instructional time that
6 may be spent administering statewide academic assessments.

7 Was read the first time and referred to the Committee on Education.

8 HB 1121: FOR AN ACT ENTITLED, An Act to revise certain provisions concerning the
9 regulation of vehicle dealers.

10 Was read the first time and referred to the Committee on Taxation.

11 HB 1140: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding county
12 zoning.

13 Was read the first time and referred to the Committee on State Affairs.

14 HB 1164: FOR AN ACT ENTITLED, An Act to provide for a special interest motor
15 vehicle license plate for certain vehicles under certain conditions.

16 Was read the first time and referred to the Committee on Transportation.

17 HB 1189: FOR AN ACT ENTITLED, An Act to provide for the inspection and review of
18 a state-mandated academic achievement test taken by a student.

19 Was read the first time and referred to the Committee on Education.

20 HB 1212: FOR AN ACT ENTITLED, An Act to revise requirements related to pregnancy
21 help centers

22 Was read the first time and referred to the Committee on Health and Human Services.

1 HB 1214: FOR AN ACT ENTITLED, An Act to regulate conflicts of interest for authority,
2 board, or commission members.

3 Was read the first time and referred to the Committee on State Affairs.

4 **SECOND READING OF CONSENT CALENDAR ITEMS**

5 SB 142: FOR AN ACT ENTITLED, An Act to authorize certain disclosures of mental
6 health information to law enforcement.

7 Was read the second time.

8 The question being "Shall SB 142 pass?"

9 And the roll being called:

10 Yeas 35, Nays 0, Excused 0, Absent 0

11 Yeas:

12 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
13 (Brock); Haggard (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
14 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
15 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen;
16 Van Gerpen; Vehle; White

17 So the bill having received an affirmative vote of a majority of the members-elect, the
18 President declared the bill passed and the title was agreed to.

19 HB 1013: FOR AN ACT ENTITLED, An Act to revise certain provisions regarding
20 alternative instruction achievement tests for children excused from school attendance.

21 Was read the second time.

22 The question being "Shall HB 1013 pass?"

23 And the roll being called:

24 Yeas 35, Nays 0, Excused 0, Absent 0

25 Yeas:

26 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
27 (Brock); Haggard (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
28 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
29 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen;
30 Van Gerpen; Vehle; White

1 So the bill having received an affirmative vote of a majority of the members-elect, the
2 President declared the bill passed and the title was agreed to.

3 HB 1014: FOR AN ACT ENTITLED, An Act to authorize the sale of certain surplus real
4 estate and to provide for the deposit of the proceeds.

5 Was read the second time.

6 The question being "Shall HB 1014 pass?"

7 And the roll being called:

8 Yeas 35, Nays 0, Excused 0, Absent 0

9 Yeas:

10 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
11 (Brock); Haggart (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
12 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
13 Peterson (Jim); Rampelberg; Rusch; Shorma; Sohlt; Solano; Sutton; Tidemann; Tieszen;
14 Van Gerpen; Vehle; White

15 So the bill having received an affirmative vote of a majority of the members-elect, the
16 President declared the bill passed and the title was agreed to.

17 HB 1010: FOR AN ACT ENTITLED, An Act to revise certain provisions relating to the
18 development of park and recreational improvements on lands leased to the Department of Game,
19 Fish and Parks.

20 Was read the second time.

21 The question being "Shall HB 1010 pass as amended?"

22 And the roll being called:

23 Yeas 35, Nays 0, Excused 0, Absent 0

24 Yeas:

25 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
26 (Brock); Haggart (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
27 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
28 Peterson (Jim); Rampelberg; Rusch; Shorma; Sohlt; Solano; Sutton; Tidemann; Tieszen;
29 Van Gerpen; Vehle; White

30 So the bill having received an affirmative vote of a majority of the members-elect, the
31 President declared the bill passed and the title was agreed to.

HB 1105: FOR AN ACT ENTITLED, An Act to give the court discretion to grant a continuance of a protection order in certain situations.

Was read the second time.

The question being "Shall HB 1105 pass?"

And the roll being called:

Yeas 35, Nays 0, Excused 0, Absent 0

Yeas:

Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; White

So the bill having received an affirmative vote of a majority of the members-elect, the President declared the bill passed and the title was agreed to.

SECOND READING OF SENATE BILLS AND JOINT RESOLUTIONS

SB 114: FOR AN ACT ENTITLED, An Act to make an appropriation for certain costs related to the commissioning of the USS South Dakota and to declare an emergency.

Was read the second time.

The question being "Shall SB 114 pass?"

And the roll being called:

Yeas 35, Nays 0, Excused 0, Absent 0

Yeas:

Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie); Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters; Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen; Van Gerpen; Vehle; White

So the bill having received an affirmative vote of a two-thirds majority of the members-elect, the President declared the bill passed and the title was agreed to.

1 **SECOND READING OF HOUSE BILLS AND JOINT RESOLUTIONS**

2 HB 1081: FOR AN ACT ENTITLED, An Act to make an appropriation to fund tax refunds
3 for elderly persons and persons with a disability, to revise the income eligibility requirements
4 for property and sales tax refunds, and to declare an emergency.

5 Was read the second time.

6 The question being "Shall HB 1081 pass as amended?"

7 And the roll being called:

8 Yeas 35, Nays 0, Excused 0, Absent 0

9 Yeas:

10 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
11 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
12 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
13 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen;
14 Van Gerpen; Vehle; White

15 So the bill having received an affirmative vote of a two-thirds majority of the members-
16 elect, the President declared the bill passed and the title was agreed to.

17 HB 1170: FOR AN ACT ENTITLED, An Act to make an appropriation to reimburse
18 certain eligible health care professionals who have complied with the requirements of the rural
19 health care facility recruitment assistance program and to declare an emergency.

20 Was read the second time.

21 The question being "Shall HB 1170 pass as amended?"

22 And the roll being called:

23 Yeas 35, Nays 0, Excused 0, Absent 0

24 Yeas:

25 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
26 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
27 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
28 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen;
29 Van Gerpen; Vehle; White

30 So the bill having received an affirmative vote of a two-thirds majority of the
31 members-elect, the President declared the bill passed and the title was agreed to.

1 HB 1082: FOR AN ACT ENTITLED, An Act to codify the list of navigable streams
2 requiring gates.

3 Was read the second time.

4 The question being "Shall HB 1082 pass?"

5 And the roll being called:

6 Yeas 35, Nays 0, Excused 0, Absent 0

7 Yeas:

8 Bradford; Brown; Buhl O'Donnell; Cammack; Curd; Ewing; Fiegen; Frerichs; Greenfield
9 (Brock); Hagggar (Jenna); Haverly; Heineman (Phyllis); Heinert; Holien; Hunhoff (Bernie);
10 Jensen (Phil); Monroe; Novstrup (David); Olson; Omdahl; Otten (Ernie); Parsley; Peters;
11 Peterson (Jim); Rampelberg; Rusch; Shorma; Soholt; Solano; Sutton; Tidemann; Tieszen;
12 Van Gerpen; Vehle; White

13 So the bill having received an affirmative vote of a majority of the members-elect, the
14 President declared the bill passed and the title was agreed to.

15 **SIGNING OF BILLS**

16 The President publicly read the title to

17 HB 1087: FOR AN ACT ENTITLED, An Act to repeal the requirement of a certain public
18 election notice.

19 HB 1089: FOR AN ACT ENTITLED, An Act to revise provisions for accumulation of
20 funds for certain municipal enterprises.

21 HB 1113: FOR AN ACT ENTITLED, An Act to exempt from the excise tax on motor
22 vehicles the transfer of motor vehicles to a nonprofit organization under certain conditions.

23 And signed the same in the presence of the Senate.

24 Sen. Hagggar moved that the Senate do now adjourn, which motion prevailed and at
25 2:57 p.m. the Senate adjourned.

26 Kay Johnson, Secretary

